

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Civil Application No. 7017/2008 IN First Appeal No.198/1999
(Ashok Kumar Dulichand Sharma VERSUS Jethmal Motilal Jedia Motilal Jedia & others)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

CORAM : SMT. VASANTI A. NAIK, J.
DATE : SEPTEMBER 22, 2008.

None for the applicant.

The civil application is dismissed for
 want of prosecution.

LATER ON

Shri Anoop Dhore appears on behalf of intervenor to point out to this Court that the civil application No.7017/2008 has been dismissed by this Court as the counsel for the applicant was not present, due to the fact that the name of the counsel for the applicant did not appear in the cause list. It is brought to the notice of this Court by the counsel for the intervenor that the names of the counsel appearing on behalf of the appellant and the respondent appeared in the cause list, but, the name of counsel for the intervenor did not appear. It is, in this background, according to the counsel for the

intervenor, he failed to remain present in the morning session and the civil application was dismissed in default.

The counsel for the applicant has made out sufficient cause for not remaining present in the morning session, when the civil application was called. It is necessary to set aside the order dismissing the civil application in default.

The order is hereby recalled. The civil application be listed for orders on 24.09.2008.

JUDGE

APTE